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IN THE

Supreme Court of the United States

October Term, 1963
No. 777

AFFILIATED GOVERNMENT EMPLOYEES DISTRIBUTING COMPANY, a corporation,

Petitioner,

vs.

COMMISSIONER OF INTERNAL REVENUE,

Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit.

REPLY MEMORANDUM OF PETITIONER.

The issue presented in the instant case is the same as that presented in *Federal Employees Distributing Company v. United States of America*, No. 778. Petitioner incorporates herein by reference the reply brief filed this date in said *Federal Employees Distributing Company v. United States of America*.

The petition for a writ of certiorari in the instant case should be granted for the reasons set forth in the reply brief in *Federal Employees Distributing Company*

v. United States of America, No. 778, and this matter should be heard on the merits or, in the alternative, remanded to the Court of Appeals for the Ninth Circuit for proper consideration of the constitutional issue duly raised by petitioner.

Respectfully submitted,

EDWARD L. BUTTERWORTH,
Counsel for Petitioner.